

[Counsel listed on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONALD J. HERRO,

Plaintiff,

v.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Defendant

) Case No. CV 13-03241 SC

)

) STIPULATION AND ~~proposed~~

) **ORDER OF DISMISSAL**

) UPON SETTLEMENT

)

)

) Case Management Conference:

)

) Date: March 7, 2014

) Time: 9:00 a.m.

) Courtroom: Hon. Samuel Conti

)

) Senior United States District Judge

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1 1. The parties have reached a settlement in this matter. There currently is a Case
2 Management Conference scheduled in this matter for Friday, March 7, 2014.

3 2. Accordingly, the parties stipulate and respectfully request that the Court enter a
4 35-day conditional dismissal of the action, in the form of the proposed Order set forth below.

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6 Dated: March 3, 2014

Respectfully submitted,

7 JULIAN M. BAUM & ASSOCIATES

8 /s/ by *Julian M. Baum*

9 by _____

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15 Dated: March 3, 2014

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24 Attorneys for Defendant,

25 The Prudential Insurance Company of America

26 By /s/ by *Megan Troy*

27 _____
Megan Troy

28 **[proposed Order on following page]**

~~[Proposed]~~ ORDER OF DISMISSAL

The parties to the action, by their counsel, have advised the Court that they have agreed to a settlement.

IT IS HEREBY ORDERED that this cause is DISMISSED WITH PREJUDICE; provided, however, that if any party to the action certifies to this Court, with proof of service of a copy thereon on opposing counsel, within 35 days of the date of this Order, that settlement of this action has not in fact occurred, then the foregoing Order shall stand vacated and this cause shall forthwith be restored to the Court's calendar for further proceedings.

IT IS SO ORDERED.

DATED: March 4, 2014

